

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY TAIPEI

C O N F I D E N T I A L STATE 035312

E.O. 11652: GDS

TAGS: CASC, TW

SUBJECT: US CITIZEN'S RIGHT TO COMMUNICATE WITH EMBASSY

REFS: (A) TAIPEI 510; (B) TAIPEI 404

1. IN DISCUSSIONS WITH DEPT., MRS. YU-AN WANG HAS PROVIDED A MORE DETAILED AND SOMEWHAT DIFFERENT DESCRIPTION OF HER DECEMBER 27 INTERROGATION BY ROC POLICE THAN SHE GAVE EMBASSY (REF A). MRS. WANG HAS STATED THAT ROC POLICE NOT ONLY DISCOURAGED HER FROM COMMUNICATING WITH EMBASSY BUT ACTUALLY REFUSED HER SPECIFIC REQUEST THAT SHE BE ALLOWED TO CALL EMBASSY. IN ADDITION, MRS. WANG STATES POLICE REQUIRED HER TO SIGN A WRITTEN STATEMENT THAT SHE WOULD NOT DISCUSS HER INTERROGATION WITH THE EMBASSY OR ANY AMERICAN, THREATENING THAT HER FAMILY WOULD SUFFER THE CONSEQUENCES IF SHE DID SO. SUBSEQUENTLY, POLICE URGED HER RELATIVES TO ADVISE MRS. WANG NOT TO TALK
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TO THE EMBASSY. MRS. WANG SAYS THAT SHE FELT INTIMIDATED BY THESE ACTIONS AND CONSEQUENTLY POSTPONED CONTACTING THE EMBASSY. WE HAVE NO REASON TO DOUBT MRS. WANG'S ACCOUNT.

2. DEPT IS DISTURBED BY ROC'S DENIAL OF MRS. WANG'S REQUEST TO COMMUNICATE WITH EMBASSY DURING INTERROGATION

AND ITS EFFORT TO INTIMIDATE HER INTO NOT DISCUSSING INTERROGATION WITH EMBASSY. WE HAVE DISCUSSED MATTER WITH MRS. WANG, WHO HAS AGREED THAT DEPT SHOULD LODGE PROTEST WITH ROC. MRS. WANG RECOGNIZES THAT OUR DOING SO MAY PROVOKE FURTHER POLICE ACTION AGAINST HER RELATIVES ON TAIWAN BUT NEVERTHELESS HAS REQUESTED THAT PROTEST BE MADE.

3. EMBASSY SHOULD THEREFORE CALL UPON MOFA AT APPROPRIATE LEVEL AND MAKE FOLLOWING POINTS:

-- ANOTHER INSTANCE IN WHICH A US CITIZEN'S REQUEST TO COMMUNICATE WITH EMBASSY WAS DENIED HAS COME TO OUR ATTENTION.

-- IT INVOLVES MRS. WANG YU-AN, WHO WAS INTERROGATED AT TAIPEI AIRPORT ON DECEMBER 27 IN CONNECTION WITH PARCEL BOMB CASE.

-- WE RECOGNIZE THE SERIOUSNESS OF THIS CASE AND THE NEED TO EFFECTIVELY INVESTIGATE IT. WE DO NOT BELIEVE THAT SUCH AN INVESTIGATION REQUIRES DENIAL OF A US CITIZEN'S REQUEST TO COMMUNICATE WITH THE EMBASSY.

-- MRS. WANG STATES THAT DURING INTERROGATION ROC POLICE DENIED HER REQUEST TO CONTACT EMBASSY, REQUIRED HER TO SIGN A STATEMENT THAT SHE WOULD NOT DISCUSS INTERROGATION WITH EMBASSY, THREATENED THAT HER FAMILY WOULD SUFFER CONFIDENTIAL

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FER CONSEQUENCES IF SHE DID CONTACT EMBASSY AND SUBSEQUENTLY URGED FAMILY MEMBERS TO ADVISE HER NOT TO CONTACT EMBASSY.

-- EMBASSY HAS BEEN INSTRUCTED TO RAISE THIS MATTER AND STATE THAT THE POLICE'S DENIAL OF A US CITIZEN'S REQUEST TO COMMUNICATE WITH EMBASSY AND THEIR ATTEMPT TO INTIMIDATE MRS. WANG INTO NOT COMMUNICATING WITH EMBASSY SUBSEQUENTLY IS AN EXTREMELY SERIOUS MATTER.

-- WE NOTE MOFA'S EARLIER STATEMENT IN THE FRIEDMAN CASE (REF B), THAT US CITIZENS MAY COMMUNICATE WITH EMBASSY "UNDER ANY CIRCUMSTANCES."

-- EMBASSY REQUESTS THAT MINISTRY TAKE FURTHER STEPS TO INSURE THAT ALL ROC POLICE AGENCIES ARE REMINDED THAT US CITIZENS SHOULD NOT BE PREVENTED OR IN ANY WAY DISCOURAGED FROM COMMUNICATING WITH THEIR EMBASSY.

4. IN EVENT ROC SHOULD RAISE ANY QUESTION CONCERNING
BASIS MRS. WANG'S RIGHT TO CONTACT EMBASSY, BELIEVE IT

WOULD BE MOST USEFUL TO POINT TO SECOND PARA OF ARTICLE
VI OF US/ROC TREATY ENTITLED "RELINQUISHMENT OF EXTRA-
TERRITORIAL RIGHTS AND REGULATION OF RELATED MATTERS"
OF 5/20/43, WHICH PROVIDES: "IT IS LIKEWISE AGREED THAT
NATIONALS OF EACH COUNTRY, IN THE TERRITORY OF THE OTHER
COUNTRY, SHALL HAVE THE RIGHT AT ALL TIMES TO COMMUNICATE
WITH THE CONSULAR OFFICERS OF THEIR COUNTRY."

5. DEPT PLANS TO MAKE PARALLEL APPROACH TO ROC EMBASSY
WASHINGTON ON FRIEDMAN AND WANG CASES TO EMPHASIZE
IMPORTANCE WE PLACE UPON US CITIZENS RIGHTS TO COMMUNI-
CATE WITH EMBASSY.
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